



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,323	01/11/2002	Takashi Okazawa	03500.016101.	4441

5514 7590 07/31/2006

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

LAM, ANDREW H

ART UNIT PAPER NUMBER

2625

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/042,323	OKAZAWA, TAKASHI	
	Examiner	Art Unit	
	Andrew H. Lam	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Tran

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 04/26/06.
- Claims 1-48 are pending in the present application. Claims 1-48 are amended.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama et al. (EP 1003307) hereinafter Motoyama in view of Kelly et al. (EP 0150273) hereinafter Kelly.

Regarding claim 1, Motoyama discloses a communication controller for controlling communication between an apparatus and a network (fig. 4, multiport communication interface), comprising: an obtaining unit adapted (fig. 3, cpu) for obtaining information concerning the apparatus (col. 9, lines 5-24); a message creating unit adapted (fig. 6A, user agent) for creating a message to be sent based on the information obtained by said obtaining unit, in the language determined by said language determining unit (col. 11, lines 49-50); and a sending unit adapted (fig. 6A, Message transfer agent) for sending the message created by said message creating unit onto the network (col. 11, lines 50-55).

Motoyama does not disclose expressly a language determining unit adapted for determining a language for to be used in a message to be sent, from among a plurality of languages.

Kelly discloses a language determining unit (Kelly, system device 6) adapted for determining a language for to be used in a message to be sent (page 7, lines 1-6), from among a plurality of languages (pages 6 and 7, col. 7, the system device 6 has to translate the language generated by the user AAA to the send to the desire language user BBB, therefore the language AAA has to be translated to language BBB for the receiver to understand the message).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Motoyama per the teaching of Kelly for the following reason: by having a determining unit adapted for determining a language for creating a message will allow a user at a different location (another country) to understand the message, i.e. the sender uses language AAA and the receiver uses language BBB. The language AAA has to be converted/translate at the system device 6 to language BBB so that the receiver can understand the message (Kelly, page 6 and page 7).

Regarding claim 2, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on location information obtained from the apparatus indicating a location (Kelly, page 6, paragraph 2).

Regarding claim 3, the combination discloses the communication controller according to claim 2, wherein the location information indicates a location where the

Art Unit: 2625

apparatus is used, or to which the apparatus is shipped, or where the apparatus is manufactured, or where the apparatus is sold (Kelly, page 6, paragraph 2).

Regarding claim 4, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on language information that indicates a language to be used for the panel display on the apparatus (Kelly, page 6, paragraph 2).

Regarding claim 5, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on information indicating a language specified for each destination to which the message is to be sent (Kelly, page 6, represented by storage location).

Regarding claim 6, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on information indicating a product name of the apparatus (Kelly, page 6, paragraph 2).

Regarding claim 7, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on location information set in a job to be processed by the apparatus indicating a location (Kelly, page 6, paragraph 2).

Regarding claim 8, the combination discloses the communication controller according to claim 1, wherein said language determining unit determines the language based on a character code type for owner information that indicates an owner of a job to be processed by the apparatus (Kelly, page 6, paragraph 2).

Regarding claim 16, the combination discloses the communication controller according to claim 1, further comprising: a controlling unit adapted for determining the state of the apparatus based on information indicating the state of the apparatus and for controlling a message sending by said sending unit in accordance with the result of the determination (Motoyama, col. 5, lines 20-25, col. 11, lines 24-58).

Regarding claim 17, the combination discloses the communication controller according to claim 1, wherein said message creating unit determines a state of the apparatus based on information indicating a state of the apparatus and creates contents of the message content in accordance with the result of the determination (Motoyama, col. 5, lines 20-25, col. 11, lines 24-58).

Regarding claim 18, the combination discloses the communication controller according to claim 1, comprising: a controlling unit adapted for determining a state of the apparatus based on information indicating a state of the apparatus and for controlling the message sent by said sending unit in accordance with set values indicating conditions for sending a message and the result of the determination (Motoyama, fig. 17, conditions such as paper jams, etc.)

Regarding claim 19, the combination discloses the communication controller according to claim 1, wherein said message creating unit determines the state of the apparatus based on information indicating a state of the apparatus and creates contents of the message in accordance with set values indicating conditions for sending a message and the result of the determination (Motoyama, fig. 17, conditions such as paper jams, etc.).

Regarding claim 20, the combination discloses the communication controller according to claim 1, wherein said message creating unit inserts a sentence prepared in advance into the message based on the information obtained by said obtaining unit (Motoyama, fig. 17, col. 20, lines 1-37).

Regarding claim 21, the combination discloses the communication controller according to claim 1, wherein said controller is a network board to be mounted on the apparatus (Motoyama, fig. 3, multi-port comm).

Regarding claims 9 and 12, Motoyama discloses a communication controller for controlling communication between an apparatus and a network (fig. 4, multi-port communication interface), comprising: an obtaining unit adapted (fig. 3, cpu) for obtaining information concerning the apparatus (col. 9, lines 5-24); and a sending unit adapted (fig. 6A, Message transfer agent) for sending the message created by said message creating unit onto the network.

Motoyama does not disclose expressly a message creating unit adapted for creating a message to be sent based on the information obtained by said obtaining unit, in one of a plurality of languages specified for each destination to which the message is to be sent.

Kelly discloses a message creating unit adapted for creating a message to be sent based on the information obtained by said obtaining unit, in one of a plurality of languages specified for each destination to which the message is to be sent (pages 6 and 7, col. 7, the system device 6 has to translate the language generated by the user

Art Unit: 2625

AAA to the send to the desire language user BBB, therefore the language AAA has to be translated to language BBB for the receiver to understand the message).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Motoyama per the teaching of Kelly for the following reason: by having a determining unit adapted for determining a language for creating a message will allow a user at a different location (another country) to understand the message, i.e. the sender uses language AAA and the receiver uses language BBB. The language AAA has to be converted/translate at the system device 6 to language BBB so that the receiver can understand the message (Kelly, page 6 and page 7).

Regarding claim 10, the combination discloses the communication controller according to claim 9, comprising: a setting unit adapted for setting a combination of a destination to which a message is to be sent and a language to be used in the message; and a storing unit adapted for storing information indicating the combination of a destination and a language set by said setting unit (Kelly, page 6).

Regarding claim 11, the combination discloses the communication controller according to claim 9, further comprising: a data sending unit adapted for sending to an external apparatus data describing a setting screen view for specifying a combination of a destination to which the message is to be sent and a language to be used in the message, wherein settings for a destination (Motoyama, fig. 12, col. 16, lines 14-25) and a language are made at said setting screen view displayed on the external apparatus (Kelly, page 6, paragraph 3).

Regarding claim 13, the combination discloses the communication controller according to claim 12, further comprising: a setting unit adapted for setting a combination of a content type of a message to be sent and a language to be used in the message; and a storing unit adapted for storing information indicating the combination of a content type and a language set by said setting unit (Kelly, page 6).

Regarding claim 14, the combination discloses the communication controller according to claim 12, comprising further: a data sending unit adapted for sending to an external apparatus data describing a setting screen view for specifying a combination of a content type of a message to be sent and a language, wherein settings for a content type and a language are made at said setting screen view displayed on the external apparatus (it is well known in the art that at initial setup of an apparatus a user can specify setting, such as destination, language, etc.).

Regarding claim 15, the combination discloses the communication controller according to claim 12, wherein contents of the message include those indicating a job termination, an error occurrence, and a need for consumable item replacement or replenishing (Motoyama, fig. 17).

Regarding claims 43 and 46, Motoyama discloses a notification method for sending information indicating a state of an apparatus, comprising (fig. 4, multi-port communication interface), comprising: a message creating step (fig. 6A, user agent) for creating a message to be sent, based on a state of the apparatus in the language determined by said language determining step (col. 11, lines 49-50); and a sending step

(fig. 6A, Message transfer agent) for sending the message created by said message creating step (col. 11, lines 50-55).

Motoyama does not disclose expressly a language determining step for determining a language to be used in a message to be sent, from among a plurality of languages.

Kelly discloses a language determining step for determining a language to be used in a message to be sent, from among a plurality of languages (pages 6 and 7, col. 7, the system device 6 has to translate the language generated by the user AAA to the send to the desire language user BBB, therefore the language AAA has to be translated to language BBB for the receiver to understand the message).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Motoyama per the teaching of Kelly for the following reason: by having determining step for determining a language to be used in a message to be sent, from among a plurality of languages will allow a user at a different location (another country) to understand the message, i.e. the sender uses language AAA and the receiver uses language BBB. The language AAA has to be converted/translate at the system device 6 to language BBB so that the receiver can understand the message (Kelly, page 6 and page 7).

Regarding claims 44, 45, 47 and 48, Motoyama discloses a notification method for delivering information indicating a state of an apparatus, comprising (fig. 4, multiport communication interface): a sending step (fig. 6A, Message transfer agent) sending the message created by said message creating step.

Motoyama does not disclose expressly a message creating step for creating a message to be sent, based on a state of the apparatus, the message being created in one of a plurality of languages specified for each destination to which the message is to be sent.

Kelly discloses a message creating step for creating a message to be sent, based on a state of the apparatus, the message being created in one of a plurality of languages specified for each destination to which the message is to be sent (pages 6 and 7, col. 7, the system device 6 has to translate the language generated by the user AAA to the send to the desire language user BBB, therefore the language AAA has to be translated to language BBB for the receiver to understand the message).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Motoyama per the teaching of Kelly for the following reason: by having a message creating step for creating a message to be sent, based on a state of the apparatus, the message being created in one of a plurality of languages specified for each destination to which the message is to be sent, i.e. the sender uses language AAA and the receiver uses language BBB. The language AAA has to be converted/translate at the system device 6 to language BBB so that the receiver can understand the message (Kelly, page 6 and page 7).

Regarding claims 22-29 and 37-42 the claims recite limitations that are similar and in the same scope of invention as to those in claims 1-8 and 16-21 above and combination thereof; therefore, claims 22-29 and 37-42 are rejected for the same rejection rationale/basis as described in claims 1-8 and 16-21.

Regarding claims 30-36 the claims recite limitations that are similar and in the same scope of invention as to those in claims 9-15 above and combination thereof; therefore, claims 30-36 are rejected for the same rejection rationale/basis as described in claims 9-15.

Response to Arguments

Applicant's arguments on pages 16-19, filed 04/26/06, with respect to the rejection(s) of claim(s) 1-48 under 103(a) have been fully considered and are not persuasive.

Regarding claim 1, the applicant argued the cited prior art (EP 1003307 and EP 0150273) fails to teach and/or suggest "creating the message in one of a plurality of languages".

In response to applicant's argument Kelly discloses a language determining unit (Kelly, system device 6) adapted for determining a language for to be used in a message to be sent (page 7, lines 1-6), from among a plurality of languages (pages 6 and 7, col. 7, the system device 6 has to translate the language generated by the user AAA to the send to the desire language user BBB, therefore the language AAA has to be translated to language BBB for the receiver to understand the message). Furthermore, in Kelly on page 7, paragraph 1, it states that if user A want to send a message to user B the system determines the correct language to compose the message so that the user B at a different location can understand the message.

Contact Information

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*** *Andre Lau* 7/7/06

DOUGLAS Q. TRAN
PRIMARY EXAMINER
Tran